

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

GLENDAL STEWART,

Plaintiff,

v.

ERIK K. SHINESKI, Secretary,
Department of Veteran Affairs,

Defendant.

ORDER

10-cv-456-slc

Plaintiff has requested leave to proceed *in forma pauperis* in this civil action for monetary relief, brought under 42 U.S.C. § 1983. From the affidavit of indigency accompanying plaintiff's proposed complaint, I cannot determine whether he qualifies for indigent status.

To make this determination, I need to know plaintiff's annual income for the past year. His affidavit of indigency information is confusing concerning monthly income: he lists his monthly income as \$376 from self-employment. However, this amount is the same amount listed on his December 1008 attachment as his Department of Veterans Affairs Benefit. Then plaintiff lists his DVA benefits as a one-time amount of \$547.54; but, an August 6, 2010 attachment shows that this amount will be his new benefit amount through December 2010. Plaintiff states that as of August 12, 2010 he will no longer be receiving unemployment compensation, but he does not list the unemployment benefits he has received up to this date.

To clear all this up, plaintiff may have until September 6, 2010 to submit an amended affidavit of indigency that contains his actual gross monthly income from all sources for the last twelve months. I am enclosing a blank affidavit of indigency form to plaintiff with this order.

ORDER

IT IS ORDERED that a decision whether plaintiff Glendale Stewart may proceed *in forma pauperis* in this action is STAYED. Plaintiff may have until September 6, 2010, in which to amend his affidavit of indigency and return it to the court. If plaintiff fails to provide this requested financial information in a timely fashion, then the court will deny his request for leave to proceed *in forma pauperis* for failure to show that he is indigent.

Entered this 16th day of August, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge